

WALDO'S ACTION MAY CLEAR HAYES

Lawyers Agree That Reinstatement Wipes Out Charges.

McKAY STILL TO SIT

Hinted That His Retention as Judge Is Scheme for More Delay.

NEW ROSENTHAL WITNESS

Woman Said to Have Seen Gunmen Fire the Shots That Killed Gambler.

WILLS 18 HOUSES TO TENANTS.

Death of Landlord Reveals Remarkable Philanthropy.

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Death of Landlord Reveals Remarkable Philanthropy.

PHILADELPHIA, Sept. 5.—William Hawkins, a wealthy leather goods manufacturer, who died in 1910 at the age of 98 years, surprised eighteen Germantown families by bequeathing to them the houses in which they live and for which for years they paid rent to Mr. Hawkins.

Although Mr. Hawkins has been dead for two years his will was not offered for probate until this morning, when the mystery regarding the houses was explained. For two years the tenants of the eighteen houses have been sending their rent regularly to the agent of the dead manufacturer, only to have it returned with the cancellation of a mortgage for \$10,000 held by him on the property of the New Britain Baptist Church.

The eighteen houses are valued at about \$4,000 each. All of them were subject to ground rent, but a few days before the death of Mr. Hawkins he paid this off, had the deeds executed, leaving the beneficiaries with clear titles.

Mr. Hawkins also bequeathed \$30,000 to the American Baptist Publication Society and ordered the cancellation of a mortgage for \$10,000 held by him on the property of the New Britain Baptist Church.

One of Mr. Hawkins's hobbies was to ferret out isolated persons in need of assistance and rendering it without letting any person know the identity of the donor.

FINDS SISTER AFTER 30 YEARS.

Lost From Family as Boy, Told Story at Dinner and Was Recognized.

CINCINNATI, Sept. 5.—"Gold, this is your brother speaking."

These words over the long distance telephone from New York were the first Mrs. Gold Kassel, 872 Rockdale avenue, Avondale, a Cincinnati suburb, had heard from her brother in thirty years.

Today Mrs. Kassel, who is the wife of a clothing designer, her sister, Mrs. Lena Heller of Kintner avenue, and their mother are on their way to Peekskill, where the brother is the guest of another sister.

It was in 1882 that a Hungarian of the name of Newstedt landed at Ellis Island with his son, aged 10. A few days later the boy was lost in the streets of New York. The mother knew nothing of that until she joined her husband months later with the other children.

From the day he wandered away all efforts failed to locate the Newstedt boy. But the Hungarian boy made his way to Minnesota, where he entered the home of a family named Farmer.

At 21 he was supervisor of all the schools in Minnesota; later he became Prof. E. N. Farmer of the University of Minnesota. Now he is with the New York State Board of Education in an expert capacity.

Prof. Farmer told his story at a banquet in New York last week and one of his hearers declared his belief that Mrs. Max Silverstein of Peekskill was his sister. Long distance telephone messages proved the surmise true.

That night he stepped to the long distance telephone in Peekskill and talked with his sister in Cincinnati.

There will be a family reunion in Cincinnati on Thanksgiving Day.

PRAYED AS SHE BURNED.

Sister Stands in Supplication With Clothing Alame.

With her arms extended upward in supplication Sister Stephenia of the St. Joseph Roman Catholic Convent in Bayonne stood yesterday forenoon in the yard of the convent with her clothing in flames and slowly burned to death before assistance came.

The sister was preparing the noonday meal when the gas stove set fire to her clothing. Rushing into the back yard she extended her arms in prayer while the flames enveloped her from head to foot. Women on the opposite of the street saw her and their screams attracted the attention of a man who was passing.

Before he had covered half the intervening space her strength failed and she sank slowly to her knees, still with uplifted hands. As he reached her side she fell forward unconscious. Others summoned aid while he smothered the flames with a rug.

Under the ministrations of the doctor Sister Stephenia recovered consciousness thirty minutes later. She died two hours later.

HER WEDDING A FUNERAL.

Dr. Newton Sells From Manila, Not Knowing Fiancee Was Drowned.

WASHINGTON, Sept. 5.—While preparations were going on at her home for the funeral of Miss Annie Nixon, held here to-day, a cablegram was received from her fiancé, announcing his sailing from Manila yesterday and speaking of plans for their wedding, expected to take place this fall. Dr. Philip Newton, son of Major John Newton, Sixteenth Infantry, U. S. A., is ignorant of the fact that the girl he expects to marry is dead.

Miss Nixon was drowned last Tuesday at a shore resort in endeavoring to save the life of her companion, Frank W. Wiseman, with whom she had gone boating. Both Miss Nixon and Wiseman were drowned. An effort was made to inform Dr. Newton before he sailed from the Philippines, but it failed.

BATTLESHIPS SMASH TARGETS.

First and Second Divisions Practice Under Difficulties.

NORFOLK, Va., Sept. 5.—Twelve warships, comprising the first and second divisions of the Atlantic fleet, smashed half a dozen targets on the Southern drill grounds to-day. To-night the second division is firing at targets towed by naval tugs at a range of 2,000 yards.

The shooting to-day was done under difficulties, a brisk northeast wind kicking up a high sea, but some good shots were made and additional targets ordered from the Norfolk navy yard.

The naval tugs Patuxent and the Celtic are towing the targets. The day range varies from five to eight miles. To-morrow there will be rapid fire target shooting.

The battleship Nebraska joined the fleet to-day. The Missouri has been ordered to Philadelphia after she finishes target shooting to undergo repairs.

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LYNCH NEGRO, FEARING TROOPS.

Eight Hundred Kill Captive Despite Pleas of Pastor and Judge.

BLUEFIELD, W. Va., Sept. 6.—When they were informed that troops from the strike section along Paint Creek would be rushed to the scene by Gov. Glascock, the 800 angry men, heavily armed, who stormed the Prison Jail yesterday and took Walter B. Johnson, a negro, accused of attacking a white girl from his cell, and had since had him in their custody, lynched their prisoner early to-day.

The negro was tied to a tree and, while dying, his body was pierced by hundreds of shots.

An armistice of eighteen hours had been proclaimed between the mob and the authorities, but when the information was received that troops would be sent to rescue the negro the mob, reinforced by 300 men from the city, immediately lynched their captive. Princeton is in a state of terror. Members of the mob, heavily armed, have threatened to shoot any negro that leaves his home. The negro residents are fleeing to the mountains. Several have been reported wounded.

Prior to the lynching the Rev. Mr. Hamilton and Judge Frank Maynard had been stirring talks, but the mob turned a deaf ear to their pleadings.

TRAIN ROBBER GIVES BABY RING

But Kind Hearted Bandit Takes \$1,000 From Passenger.

SALINA, Kan., Sept. 5.—A lone and kindhearted bandit robbed the conductor, a new baby and a score or more of passengers on the Missouri Pacific passenger train No. 1 early this morning and escaped in the darkness with about \$1,000 cash booty. The robber, boarded the train at Ocala City, Kan., shortly after midnight this morning and took a seat in the smoking car.

When the conductor came after his ticket the robber flashed a gun, took the conductor's gold watch and small change and locked him in a compartment. A new baby was the last victim. After taking the baby's money the robber forced him to hold a sack while he took money and valuables from the passengers of the chair car.

While going through the car the robber came to a poorly dressed woman who held a baby in her arms. She involuntarily covered the baby's face. The bandit turned, and taking a ring from the sack, said, "This is for the baby." No one claimed the plain gold ring after the robber left. A porter in another car saw the robber and pulled a bell cord. The train was backed to Ocala City, where the robbery was reported to the authorities.

SAVED DAD'S ROLL FROM BANDIT.

Roosevelt Leader's Son Hid It on Train and Faced Revolver.

ATLANTA, Sept. 5.—Quick wit displayed by a boy while looking into the muzzle of a train bandit's revolver saved John M. Parker, the virtual Roosevelt leader of the South, from coming into Atlanta "stone broke" for the Roosevelt mass meeting here to-night.

Parker, who is National Committee-man for the Progressive party in Louisiana, and who led the fight to eliminate the negroes at Chicago, was on the Louisville and Nashville train which was held up by a lone bandit last night. He was accompanied by his nephew and two young sons.

The robber, revolver in hand, went from berth to berth in the sleepers arousing the passengers and taking their money. Parker's roll was in a wallet in his coat. As the bandit approached the Parker berth young John Parker shoved his father's coat under a seat, after putting the other boys' money in it. Then he rummaged through his own pockets, and "Here all the money we've got," he told the bandit. The bandit took the change. He counted it over and then looked at the lads with a smile of contempt.

"Oh, well," he sneered, "keep the chicken feed."

In the next car the engineer hit the bandit over the head with a brass torch, knocking him unconscious.

NICHOLS DISOBEYS ORDER!

Allis-Chalmers Official Was Directed to Bring Daughter Here.

COLORADO SPRINGS, Colo., Sept. 5.—Miss Marion Nichols, daughter of William Wallace Nichols, vice-president of the Allis-Chalmers company, to-day left the Cliff House, Manitou, where she has been visiting her uncle, E. E. Nichols, to join her father in Chicago. He will take her to a boarding school at Kenosha, Wis.

The despatch indicates that Mr. Nichols has no intention of obeying the order of Supreme Court Justice Blaisdell in the habeas corpus proceedings brought by the girl's mother, Mrs. Mary Elizabeth Nichols, who divorced her husband two years ago.

The order directs Mr. Nichols to bring his daughter to New York before to-morrow noon and produce her at the office of Mrs. Nichols's attorney at that time.

SOMNAMBULIST FALLS 35 FEET.

Williamsburg Man Steps Out of Fourth Story Window While Asleep.

Frank Berron, a plasterer, 28 years old, of 35 Havemeyer street, Williamsburg, was mortally injured yesterday when he stepped out of a fourth floor window while asleep.

He had been subject to somnambulism, and last winter fell down a flight of stairs. His family afterward took extra precautions to protect him, but he got out of bed without being heard at 3 A. M. yesterday and opened a rear window unobserved.

He fell about thirty-five feet, sustaining a fracture of the skull and left thigh, as well as internal injuries. He was taken to the Williamsburg Hospital, where it was said he would probably die.

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GOOD SLEDDING IN NEVADA.

Several Inches of Snow on the Ranges Near Carson City.

CARSON CITY, Nev., Sept. 5.—Several inches of snow fell on the ranges west of here to-day. This is the earliest autumn snowfall recorded in this State in twenty-five years.

A. R. CONKLING BLAMED FOR USE OF TRUST FUND

Surrogate Refuses to Give Him All of \$20,000 Income of His Daughters.

MAY HAVE \$10,000 ONLY

Special Guardian Says Girls' Money Paid Coal and Other House Bills.

Ex-Assemblyman Alfred R. Conkling, who was recently sued for a separation by his wife, Mrs. Ethel Johnson Conkling, and who then advertised that he would not be responsible for his wife's debts, is censured in a report confirmed yesterday by Surrogate Fowler for the manner in which he has handled trust funds left for the three Conkling children, Muriel, 15 years old; Olga, 13, and Vivian, 9.

Although Mr. Conkling told the Surrogate that his own income is insufficient for him to contribute longer to the support of his children, and for that reason asked that \$20,000, the entire income from the trust fund for his daughters, be paid to him, the Surrogate not only cut down the allowance to the daughters to \$10,000 but charged Mr. Conkling with about \$14,000 which he alleged he had spent for the benefit of the children from their income but concerning the use of which the Surrogate ruled there was insufficient proof.

The Conkling children receive the income from practically the entire estate of George Lorillard Ronalds, who died two years ago at Tuxedo, and their father is their general guardian. When he applied recently to have the amount previously allowed from the trust fund increased the Surrogate appointed Emory C. Welles special guardian for Olga and Vivian, and Phoenix Ingraham special guardian for Muriel. These special guardians were to examine the accounts of the father as guardian and make any recommendation they thought advisable on his application. The Surrogate then appointed Wilbur Larremore referee to consider the reports of the special guardians.

Mr. Welles's report showed that during the period covered by the accounting Mr. Conkling received \$6,882 for Olga and spent all but \$102 of that amount. Mr. Welles approved only \$310 of that expenditure. Mr. Conkling got \$6,943 for Vivian and spent all but \$67, but the special guardian approved only \$1,023.

Mr. Ingraham reported that the father received \$6,994 for Muriel, and spent all but \$187, and he allowed \$2,024. The balance must be made up by the father of the children out of his own funds.

Referee Larremore approved these reports, although stating that he believed that Mr. Conkling had really spent more for his children than he could prove, but he failed to produce the vouchers to show it.

In his report concerning the expenditure for Vivian, Mr. Welles said that the general guardian admitted that he had made no attempt to pay the bills of the children from their individual estates, but bought goods in a lump, divided them among the three children, and charged them an equal amount. He said that Mr. Conkling bought a dress for the oldest daughter, had it cut down for the next one when the oldest had outgrown it, and finally passed it on to Vivian, the youngest.

For this reason Mr. Welles said that "it is equitable to charge Vivian for one-third of the clothing bills, as she never got the benefit therefrom. It would take a special panel of jurors to determine what percentage, if any, each of the infants should pay of the bills presented each of the estates on this accounting."

He said that Mr. Conkling had admitted that he ran short of his own funds and paid grocery and butcher bills from the estates of the children. Neither Mr. Conkling nor his wife was able to testify that items such as the drygoods bills were for the children against whom they were charged. Mr. Welles said. He remarked that they were charged with coal, electricity, telephones, cottage rent and household expenses, and said:

"It is absolutely ludicrous to charge the infants' estate with the maintenance of the household and grounds of the general guardian. Who is able to state what proportionate share, if any, each of the infants should bear toward the maintenance of the household? It would be necessary for the general guardian to produce experts to testify to the value of the appetite of each infant and also as to the temperament of the various infants."

In the action of the general guardian in providing clothing for his wife, furniture and bric-a-brac for the house, and Christmas presents of the size and calibre charged against the estates is wholly without foundation in law or equity. Were the character of the general guardian other than it is the payments might be deemed misappropriation of trust funds."

In approving the reports Referee Larremore recommended that Muriel have \$4,000 a year for her support and Olga and Vivian \$3,000 each. Mr. Conkling opposed this allowance, and said that his personal income had been reduced in the last two or three years from \$15,000 to \$12,000 a year. In 1910 he spent over \$4,000 more than the incomes of the children and himself and last year made a total expenditure of \$27,000. His income this year will be less, and he estimated that the expense of the family will be \$30,000, so he asked for the total income of \$20,000 of the children. The Surrogate refused his request.

Mr. Conkling said in his petition: "It is distasteful to your petitioner to set forth here, but it is a fact that your petitioner would have had to very materially change the manner in which he maintained the children and their mother had they not received this inheritance. The expenditure of all the income is not likely to lead to the acquiring of tastes they cannot satisfy, and thus be a detriment rather than a benefit to them."

SPINSTERS IN MINORITY.

Married Women Delegates Number 119, Single 71.

SEATTLE, Sept. 5.—There are more matrons than spinsters in the list of women delegates and alternates to the Progressive State convention. The count stands 119 married to 71 unmarried. They hail from twenty-nine counties.

REFUSE FURNESS'S BRAIN.

Shakespearean Scholar's Relative Deny Bequest to Spitzka.

PHILADELPHIA, Sept. 5.—With the sudden return to this city of Dr. Edwin Anthony Spitzka, director of the Baugh Institute of Anatomy, to dissect the body of Dr. W. J. McGee, the anthropologist, it was learned that the brain of Dr. Horace Howard Furness, the Shakespearean scholar, had also been bequeathed to Dr. Spitzka.

Due to objections on the part of the family he never received the brain and an opportunity to study the delicate thinking machine of one of the world's greatest literary men was lost.